

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

OKLAHOMA POLICE PENSION AND
RETIREMENT SYSTEM, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

STERLING BANCORP, INC., et al.,

Defendants.

Case 5:20-cv-10490-JEL-EAS

Hon. Judith E. Levy

Hon. Elizabeth A. Stafford

CLASS ACTION

**STIPULATION AND ORDER REGARDING DEFENDANTS' REQUEST
FOR AN EXTENSION OF THE DEADLINES FOR THEIR MOTION TO
DISMISS REPLY BRIEFS AND RESPONSES TO PLAINTIFF'S MOTION
TO TAKE JUDICIAL NOTICE**

Pursuant to Defendants' request for an extension of time to file Defendants' responses to Plaintiff's Motion To Take Judicial Notice and Defendants' reply briefs in support of the Motions To Dismiss, and Lead Plaintiff Oklahoma Police Pension and Retirement System's ("Plaintiff") consent thereto, Defendants and Plaintiff, by and through their respective counsel (the "Parties"), have stipulated as follows, and Defendants hereby respectfully request that the Court enter the following proposed order concerning the extension of deadlines relating to Defendants' responses to Plaintiff's Motion To Take Judicial Notice and Defendants' reply briefs in support of Defendants' Motions To Dismiss Plaintiff's Amended Class Action Complaint.

WHEREAS, on December 4, 2020, Plaintiff filed a Motion To Take Judicial Notice (ECF No. 70), and pursuant to this Court's December 16, 2020 Stipulation and Order (ECF No. 74), the response to such motion is due on January 8, 2021;

WHEREAS, pursuant to this Court's December 16, 2020 Stipulation and Order (ECF No. 74), Defendants' reply briefs in support of Defendants' Motions To Dismiss (ECF 55–63), are to be filed on or before January 22, 2021;

WHEREAS, the fourteen Defendants in the above-captioned action are represented by nine different counsel groups, and responding to Plaintiff's Motion To Take Judicial Notice and preparing Defendants' reply briefs in support of the Motions To Dismiss requires coordination between the multiple defendant groups and their respective counsel;

WHEREAS, in light of the current holiday season and Defendants' need to confer as to the responses to the Motion To Take Judicial Notice and the reply briefs in support of Defendants' Motions To Dismiss, Defendants request, and Plaintiff consents to, an extension of time for Defendants to file their responses to Plaintiff's Motion To Take Judicial Notice from January 8, 2021 to February 5, 2021, and an extension of time for Defendants to file their reply briefs in support of the Motions To Dismiss from January 22, 2021 to February 18, 2021;

WHEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

PURSUANT TO STIPULATION, the Court sets the following deadlines:

1. All Defendants shall file their respective responses to Plaintiff's Motion To Take Judicial Notice on or before February 5, 2021;

2. All Defendants shall file their respective reply briefs in support of Defendants' Motions To Dismiss on or before February 18, 2021.

IT IS SO ORDERED.

January 5, 2021

s/Elizabeth A. Stafford
HON. ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE

Dated: December 30, 2020

STIPULATED AND AGREED:

**MILLER, CANFIELD,
PADDOCK AND STONE,
P.L.C.**

By: s/ Matthew P. Allen
Matthew P. Allen (P57914)
Thomas W. Cranmer (P25252)
840 West Long Lake Road,
Suite 150
Troy, MI 48098
(248) 879-2000
allen@millercanfield.com
cranmer@millercanfield.com

-and-

LEVINE LEE LLP

Kenneth E. Lee
Seth L. Levine
Chad P. Albert
650 Fifth Avenue, 13th Floor
New York, NY 10019
(212) 223-4400
klee@levinelee.com
slevine@levinelee.com
calbert@levinelee.com

*Counsel for Defendant Sterling
Bancorp. Inc.*

ALSTON & BIRD LLP

By: s/ Brett D. Jaffe (consent)
Brett D. Jaffe
Joseph Tully
90 Park Avenue
New York, NY 10016
(212) 210-9547
brettjaffe@alston.com
joe.tully@alston.com

*Counsel for Defendant Gary
Judd*

MAYER BROWN LLP

By: s/ Alex C. Lakatos (consent)
Alex C. Lakatos
1999 K Street NW
Washington, D.C. 20006
(202) 263-3312
alakatos@mayerbrown.com

*Counsel for Defendant Michael
Montemayor*

DICKINSON WRIGHT

By: s/ Thomas G. McNeill (consent)
Thomas G. McNeill
500 Woodward Avenue
Suite 400
Detroit, MI 48226-3425
(313) 223-3500
tmcneill@dickinsonwright.com

*Counsel for Defendants Barry
Allen, Jon Fox, Benjamin
Wineman and Lyle Wolberg*

**CLEARY GOTTLIEB STEEN
& HAMILTON LLP**

By: s/ Breon S. Peace (consent)
Victor L. Hou
Breon S. Peace
One Liberty Plaza
New York, NY 10006
(212) 225-2000
vhou@cgsh.com
bpeace@cgsh.com

*Counsel for Defendants Seth
Meltzer and Sandra Seligman*

HERTZ SCHRAM PC

By: s/ Matthew J. Turchyn (consent)
Matthew J. Turchyn
1760 S. Telegraph Road
Suite 300
Bloomfield Hills, MI 48302
(248) 335-5000
mturchyn@hertzschrampc.com

-and-

**WACHTELL, LIPTON,
ROSEN & KATZ**

Stephen R. DiPrima
51 West 52nd Street
New York, New York 10019
(212) 403-1382
srdiprima@wlrk.com

*Counsel for Defendants Piper
Sandler Companies and
American Capital Partners, LLC*

**WARNER, NORCROSS +
JUDD LLP**

By: s/ Madelaine C. Lane (consent)
Madelaine C. Lane
1500 Warner Building
150 Ottawa Avenue, NW
Grand Rapids, MI 49503
(616) 222-2468
mlane@wnj.com

Michael G. Brady
2000 Town Center, Suite 2700
Southfield, MI 48075-1318
(248) 784-5000
mbrady@wnj.com

Thomas M. Amon
1500 Warner Building
150 Ottawa Avenue, NW
Grand Rapids, MI 49503
(616) 752-2727
tamon@wnj.com

*Counsel for Defendant Thomas
Lopp*

CLARK HILL PLC

By: s/ Daniel T. Graham (consent)
Daniel T. Graham
1030 E. Randolph St.
Suite 3900
Chicago, IL 60601
(312) 985-5954
dgraham@clarkhill.com

Russell Duncan (*Admission to be
submitted*)
1001 Pennsylvania Avenue NW
Suite 1300 South
Washington, D.C. 20004
(202) 640-6657
Rduncan@clarkhill.com

*Counsel for Defendant Scott
Seligman*

**SWANSON & MCNAMARA
LLP**

By: s/ August Gugelmann (consent)
Mary McNamara (*Admission to
be submitted*)
August Gugelmann
300 Montgomery Street
Suite 1100
San Francisco, CA 94104
(415) 477-3800
mary@smlp.law
august@smlp.law

*Counsel for Defendant Peter
Sinatra*

BERMAN TABACCO

By: s/ Kristin J. Moody (consent)

Kristin J. Moody
Carl N. Hammarskjold
44 Montgomery Street, Suite 650
San Francisco, CA 94104
(415) 433-3200
kmoody@bermantabacco.com
chammarskjold@bermantabacco.com

-and-

BERMAN TABACCO

Patrick T. Egan
One Liberty Square
Boston, MA 02109
(617) 542-8300
pegan@bermantabacco.com

*Counsel for Lead Plaintiff Oklahoma
Police Pension and Retirement System
and Interim Lead Counsel for the
Putative Class*

**WEITZ & LUXENBERG,
P.C.**

Paul F. Novak
Fisher Building
3011 W. Grand Boulevard
24th Floor
Detroit, MI 48202
(313) 800-4170
pnovak@weitzlux.com

*Local Counsel for Lead Plaintiff
Oklahoma Police Pension and
Retirement System and Interim
Local Counsel for the Putative
Class*